

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

see form PCT/ISA/220

RECEIVED
MAR 15 2005

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Applicant's or agent's file reference
see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/004738

International filing date (day/month/year)
10.11.2004

Priority date (day/month/year)
28.11.2003

International Patent Classification (IPC) or both national classification and IPC
D06M13/432, D06M16/00, D06M15/423, D06M15/41, D06M11/13, D06M11/55, A01N47/44, A61L2/16

Applicant

ARCH UK BIOCIDES LIMITED

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Koegler-Hoffmann, S

Telephone No. +49 89 2399-8611



BEST AVAILABLE COPY

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

101580802

International application No.
PCT/GB2004/004738

AP9 Rec'd PCT/PTO 25 MAY 2006

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/004738

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	8,11,17,18
	No: Claims	1-7,9,10,12-16,19-26
Inventive step (IS)	Yes: Claims	
	No: Claims	1-26
Industrial applicability (IA)	Yes: Claims	1-26
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

D1: WO 95/12021 A

D2: PATENT ABSTRACTS OF JAPAN vol. 1999, no. 07, 31 March 1999 (1999-03-31) & JP 02 114467 A (AMP INC), 26 April 1990 (1990-04-26)

D3: US 2001/021616 A1

D4: US-A-3 082 118

2. The document D1 discloses an antimicrobial treatment of textile materials wherein the material is treated with an antimicrobial agent, adjuvants as phenol-formaldehyde or urea glyoxal resins and with oxalic acid (see D1 whole document).

In view of D1 the subject matter of claims 19 to 26 does not fulfil the requirements of Articles 33(2) and 33(3) PCT.

Document D2 discloses the production of antimicrobial fabric wherein the fabric composed of synthetic fibre (polyamide, polyester), is subjected to dipping treatment in a solution comprising an antimicrobial agent, a self-cross linkable resin and a catalyst.

In view of D2 the subject matter of claims 19 to 26 does not fulfil the requirements of Articles 33(2) and 33(3) PCT and the subject matter of claims 1 to 18 does not fulfil the requirements of Article 33(3) PCT.

Document D3 describes the use of an aqueous composition comprising a self-cross linkable resin, a catalyst and an antimicrobial active agent (see D3: p.64, 65, 72, 74, 120, 124 - 127, 131).

In view of D3 the subject matter of claims 1 to 7, 9, 10 and 12 does not fulfil the requirements of Articles 33(2) and 33(3) PCT.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/004738

Document D4 relates to a method for inhibiting the growth of microorganism of fabric prepared from nylon, polyester, acrylic fibres wherein the material is treated with a composition comprising the same compounds as claimed in claim 1 of the current application (see D4: whole document).

In view of D4 the subject matter of independent claims 1, 3, 13, 15 and 19 to 26 does not fulfil the requirements of Articles 33(2) and 33(3) PCT.